

**Government of Nepal
Ministry of Irrigation
Department of Irrigation
Bheri Babai Diversion Multipurpose Project
(BBDMP)
Birendranagar, Surkhet**

PREQUALIFICATION DOCUMENT

For

Contract No : Civil 01/HRT/BBDMP

**Name of Contract : Construction of Headrace
Tunnel for Bheri Babai
Diversion Multipurpose Project**

April, 2014



A handwritten signature in blue ink, appearing to be "Subit", is written over a light blue rectangular background.

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2 Abbreviations and Glossary

BOQ	Bill of Quantities
FIDIC	Federation Internationale des Ingenieurs-Conseils; an association based in Switzerland that produces GCOCs for different types of construction works.
GCOC	General Conditions of Contract
GITA	General Instructions to Applicants
ICB	International Competitive Bidding
IF	Information Forms
IFB	Invitation for Bids
IFP	Invitation for Prequalification
ITB	Instructions to Bidders
JV	Joint Venture
JVA	Joint Venture Agreement
NCB	National Competitive Bidding
PQ	Prequalification
PITA	Particular Instructions to Applicants, in the SPD
SBD	Standard Bidding Document
SPD	Standard Prequalification Document
TBM	Tunnel Boring Machine
Applicant	A Firm or Joint Venture of firms applying for the Prequalification for the specific contract/ slice or package.
Bidder	A pre-qualified Firm or Joint Venture of firms which submit the Bids for the specific contract.
Employer	One of the two parties to a works contract, the other party being the "Contractor."
Contractor	The legal entity that is party to and performs a works contract, the other party to the contract being the "Employer."
Joint venture	An ad hoc association of firms that pool their resources and skills to undertake a large or complex contract in the role of "Contractor," with all firms (partners in the JV) being legally liable, jointly and severally, for the execution of the contract in the event of a partner's withdrawal.
Management Contractor	A firm, acting in the role of "Contractor," that does not usually perform construction work contract directly, but manages the work of other (sub) contractors, while bearing full responsibility and risk for price, quality, and timely performance of the contract.

Construction Manager	A Consultant, acting as agent of the Borrower/Employer, engaged to coordinate and monitor the timing of preparation, bidding award, and execution of a number of different contracts comprising a project, but does not take on the responsibility for price, quality, or performance of those contracts.
Nominated Subcontractor	A specialist enterprise selected and approved by the Employer to provide a pre-specified item in the BOQ, and nominated as subcontractor to the Contractor for such purpose. (For a more comprehensive definition, see Sub-Clauses 59.1 and 59.2 of the GCOC FIDIC 1987/92.)
Postqualification	An assessment made by the Employer after the evaluation of bids and immediately prior to award of contract, to ensure that the lowest-evaluated, responsive, eligible bidder is qualified to perform the contract in accordance with previously specified qualification requirements.
Prequalification	An assessment made by the Employer of the appropriate level of experience and capacity of firms expressing interest in undertaking a particular contract, before inviting them to bid.
Prime contractor	A firm that performs a substantial part of a construction work contract itself and the balance, if any, by subcontractors, while bearing full responsibility for the whole contract.
Procurement Agency	Agency intending to procure the Goods, Services, and or Works to fulfill its objective.
Provisional sum	A sum included provisionally in the BOQ of a contract, normally for a specialized part of the works or for contingencies, which sum shall be used only on the instructions of the Employer/Engineer for payments to the Contractor and/or to Nominated Subcontractors.
Slice and Package	A procedure whereby a large homogeneous project is sliced into smaller similar contracts, which are bid simultaneously so as to attract the interest of both small and large firms; firms offer bids on individual contracts (slices) or on a group of similar contracts (packages), and award is made to the combination of bids offering the lowest cost to the Employer. Slices comprising a number of similar construction units together in a small area are sometimes referred to as "lots," which are bid concurrently with other similar "lots" as part of the larger "package."
Turnover	The gross earnings of a firm (in this context, a construction contractor), defined as the billings for contract work in progress and/or completed, normally expressed on an annual basis, and excluding income from other sources.
Works	The total work involvement in a construction contract, including the "Permanent" Works or finished product as specified, and the "Temporary" Works required by the Contractor for the execution of the contract.
Writing	For the purpose of this document, any authenticated handwritten, typed, or printed communication, including telex, cable, electronic mail, and facsimile transmission, with proof of receipt when requested by the sender.

3 Invitation for Prequalification

This invitation for prequalification follows the Invitation for Prequalification notice for this project that appeared in The Kathmandu Post on April 17, 2014.

1. Government of Nepal, Department of Irrigation, Bheri Babai Diversion Multipurpose Project intends to prequalify contractors and/or firms for following works through International Competitive Bidding

Contract No: **Civil 01/HRT/BBDMP**

Title of Work: **Construction of Head Race Tunnel for Bheri Babai Diversion Multipurpose Project**

Brief Description of Work and Place:

Bheri Babai Diversion Multipurpose Project (BBDMP) is a multipurpose project aimed to divert 40 m³/s of water from Bheri river to Babai river to irrigate 51,000 Ha agricultural land in Bardiya and Banke districts of Nepal and also to generate about 400 GWH hydroelectric energy annually. Main work under the contract includes construction of a 12 Km long Headrace Tunnel with about 4.2 m finished diameter. The tunnel shall be constructed using a suitable Shield type of Tunnel Boring Machine (TBM) and lined with precast concrete segments.

The tunnel alignment lies in Surkhet and Bardia districts of Mid Western Development region of Nepal. Inlet portal of the tunnel lies in Ramghat VDC of Surkhet district, outlet portal lies in Belwa VDC of Bardiya District and almost all part of the tunnel lies within Surkhet District. Geologically the project area lies in the region occupied by rocks of the Siwalik group. The tunnel alignment passes through inter-bedded Mudstone, Sandstone and Conglomerate type of rocks with variable soil cover and also intersects two local faults.

The project area is about 560 Km from Kathmandu and is accessible by all weather black topped highway. Only about 2.0 km access road needs to be constructed to access the construction site from the highway.

2. Government of Nepal has allocated required fund towards the cost of Bheri Babai Diversion Multipurpose Project and it intends to apply part of the proceeds of this fund to pay for construction of the tunnel under **Contract No: Civil 01/HRT/BBDMP; Construction of Headrace Tunnel for Bheri Babai Diversion Multipurpose Project.**
3. It is expected that invitation to bid will be made in **June, 2014.**
4. Prequalification will be conducted following the criteria contained in the Prequalification Documents and is open to all eligible bidders.
5. Interested eligible bidders may obtain further information and inspect the prequalification documents at the **Unit Office of BBDMP, Department of Irrigation, Jawalakhel, Lalitpur, Nepal** during office hours from (10 AM to 5 PM).
6. A complete set of Prequalification Documents in English may be purchased by interested bidders upon submission of a written application to any one of the offices as addressed below and upon payment of a non refundable fee of NRs15,000.00 (In Words Nepalese Rupees Fifteen Thousand Only). The method of payment will be cash deposit or bank draft issued in favor of BBDMP. **The last date for purchase of Prequalification Document is June 01, 2014.**

**Bheri Babai Diversion Multipurpose Project
Birendranagar, Surkhet
Nepal**

OR

**Office of the Deputy Director General
Surface Irrigation, Environment and
Mechanical Management Division
Department of Irrigation, Jawalakhel,
Lalitpur, Nepal**

If requested by the applicant along with certified cheque in amount and currency equivalent to



4. General Instructions to Applicants (GITA)

the cost of document as indicated above and applicable mailing/shipping charges in favor of BBDMP, the document could be dispatched by express mail services but under no circumstances BBDMP shall be responsible for late delivery or loss of the documents so mailed to the applicant.

7. Application for prequalification should be submitted in sealed envelopes, delivered to the following address **by 12:00 hrs Nepal Standard Time, June 02, 2014** clearly marked **"Application to Prequalify for Contract No. Civil 01/ HRT/BBDMP; Construction of Head Race Tunnel for Bheri Babai Diversion Multipurpose Project "**

**Office of the Deputy Director General
Surface Irrigation, Environment and Mechanical Management Division
Department of Irrigation, Jawalakhel, Lalitpur, Nepal**

For those who choose to submit their prequalification documents electronically through e-procurement website of Department of Irrigation which is <http://www.doi.gov.np>, the applicant may either purchase the hard copy of the Prequalification Documents or may choose to download the necessary parts of the prequalification documents, prepare their documents and submit electronically as specified in the e-submission procedure. In this case, the applicant shall be required to deposit the non-refundable fee of NRs.15,000.00 in the account as specified below and submit electronically scanned copy (*.pdf format) of the bank deposit voucher or electronically scanned copy (*.pdf format) of draft in favor of Bheri Babai Diversion Multipurpose Project, Birendranagar, Surkhet along with the electronic prequalification files.

Name of the Bank : **Rashtriya Baniya Bank, Birendranagar, Surkhet, Nepal**
Office code No : **64/357/04**
Rajashwa Shirshak : **14227**
Rajashwa Account No : **Ka-1-1-007**

- 8 Pre-submission meeting will be held at **13:00 hrs on May 15, 2014** in Room No 424, Department of Irrigation, Jawalakhel, Lalitpur, Nepal.
- 9 If the last date for pre-submission meeting, purchase or submission of PQ document falls on public holiday the next consecutive working days shall be applicable for pre-submission meeting, purchase and submission.

4. General Instructions to Applicants (GITA)

1. Source of Funds and Scope of Works

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| Source of Funds | 1.1 | Government of Nepal (GON) has made budgetary allocation from its own resources equivalent to the amount in Nepalese Rupees indicated in the Particular Instructions to Applicants (PITA). GON intends to apply the GON fund to the eligible payments under the contract(s) for which this prequalification is issued. |
| Scope of Work | 1.2 | The Employer, as named in the PITA, intends to prequalify the prospective bidders for the Works described in the PITA. |
| Slice and Package | 1.3 | If so indicated in the PITA, the total Works to be constructed have been divided into a number of similar individual contracts (slices) and bids will be invited concurrently for individual contracts and for combinations of contracts (packages). Bidders can bid on individual contracts only or on a combination of contracts within their prequalified capacity as assessed by the Employer. Qualification criteria for slice and package bidding are described in Sub-Clause 4.15. |
| Bid Invitation | 1.4 | It is expected that prequalified applicants will be invited to submit bids during the month and year indicated in the PITA. |
| Type of Contract | 1.5 | The bidding documents, type of contract, and method of payment, whether prices are fixed or adjustable, and the time for completion are indicated in the PITA. |
| Site Information | 1.6 | General information on the climate, hydrology, topography, geology, access to site, transportation and communications facilities, medical facilities, project layout, expected construction period, facilities, services provided by the Employer, and other relevant data is attached as an Annex to the PITA. |

2. Fraud and Corruption

2.1 GON/ Donor Agency require that the Employer as well as Bidders/ Suppliers/ Contractors observe the highest standard of ethics during the procurement and execution of contracts. In pursuant to this policy, GON:

- a. defines, for the purposes of this provision, the terms set forth below as follows:

“corrupt practice” means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the procurement process or in contract execution; and

"fraudulent practice" means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of the GON, and includes collusive practices among bidders (prior to or after bid submission) designed to establish bid prices at artificial, noncompetitive levels and to deprive the GON of the benefits of free and open competition;

"collusive practice" is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;

"coercive practice" is impairing or harming, or threatening to impair harm, directly or indirectly, any party or the property of the party to influence improperly the actions of the party;

"obstructive practice" deliberately destroying, falsifying, altering or concealing of evidence material to the investigation or making false statements to investigators; and

- b. shall not accept a proposal for award if it determines that the bidder recommended for award has engaged in corrupt or fraudulent or collusive, coercive, or obstructive practices in competing for the contract in question; and
- c. shall declare a firm or individual ineligible, either indefinitely or for a stated period of time, to be awarded a GON/ Financing Agency funded contract if it at any time determines that the firm has engaged in corrupt or fraudulent or collusive, coercive, or obstructive practices in competing for, or in executing, a GON/ Financing Agency funded contract.

3. Eligibility of Countries and Bidders

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| Eligible Countries | 3.1 | Except as provided in Sub-Clause 3.2 and 3.3, this Invitation for Prequalification is open to all eligible firms from Nepal for NCB contracts and Nepal and abroad for ICB contracts. The GON and or Financing Agency maintains a list of countries from which bidders, goods, and the services are not eligible to participate in procurement. Joint Ventures between firms from Nepal and abroad shall be permitted to bid. |
| Eligible bidders | 3.2 | A firm that has been engaged by the GON to provide consulting services for the preparation or implementation of the Project, and any of its affiliates, shall be disqualified from subsequently providing goods or works (other than a continuation of the firm's earlier consulting services) for the same project. |
| | 3.3 | A firm declared ineligible by the GON and or Financing Agency shall be ineligible to bid for a contract during the period of time determined by the GON and or Financing Agency. |

4. Qualification Criteria

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| General | 4.1 | Prequalification will be based on Applicants meeting all the following |
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4. General Instructions to Applicants (GITA)

		minimum pass-fail criteria regarding their general and particular construction experience, financial position, personnel and equipment capabilities, and other relevant information as demonstrated by the Applicant's responses in the Information Forms attached to the Letter of Application. Additional requirements for joint ventures are given in Section 5. Qualifications, capacity, and resources of proposed subcontractors will not be taken into account in assessing those of individual or joint venture Applicants, unless they are named specialist subcontractors pursuant to Sub-Clause 4.4 and approved by the Employer.
Nominated Subcontracting	4.2	If so listed in the PITA, the Employer intends to execute certain specialized elements of the Works by Nominated Subcontractors in accordance with the GCC of the bidding documents and for which Provisional Sum will be included in the BOQ for the subject work.
Subcontracting	4.3	If an Applicant intends to subcontract parts of the Works such that the total of subcontracting is more than the percentage stated in the PITA of the Applicant's approximated Bid Price, that intention shall be stated in the Letter of Application, together with a tentative listing of the elements of the Works to be subcontracted.
Specialist Subcontracting	4.4	If an Applicant intends to subcontract any highly specialized elements of the Works to specialist subcontractors, such elements and the proposed subcontractors shall be clearly identified, and the experience and capacity of the subcontractors shall be described in the relevant Information Forms.
Acceptable Substitutes	4.5	With reference to Sub-Clauses 4.3 and 4.4, the Employer may require Applicants to provide more information about their proposals. If any proposed subcontractor is found ineligible or unsuitable to carry out an assigned task, the Employer may request the Applicant to propose an acceptable substitute, and may conditionally prequalify the Applicant accordingly, before issuing an invitation to bid.
Contractor's Responsibility	4.6	After award of contract, the subcontracting of any part of the Works, other than for the provision of labour and materials, or to subcontractors named in the Contract, shall require the prior consent of the Employer. Notwithstanding such consent, the Contractor shall remain responsible for the acts, defaults, and neglects of all subcontractors and nominated subcontractor during contract implementation.
General Construction Experience	4.7	<p>The Applicant shall provide evidence that:</p> <ol style="list-style-type: none">it has been actively engaged in the civil works construction business for at least the period stated in the PITA immediately prior to the date of submission of applications, in the role of prime contractor, management contractor, partner in a joint venture, or subcontractor, andthat the Applicant has generated an average annual construction turnover during the specified above period greater than the amount stated in the PITA. <p>The average annual turnover is defined as the total of certified payment certificates for works in progress or completed by the firm or firms comprising the Applicant, divided by the number of years stated in the PITA.</p>

While calculating the Turnover of the National Contractors for the past years the turnover amount shall be calculated in present value by deducting the VAT amount and then applying the inflation rate/index of the Nepal Rastra Bank. For the purpose of calculating the average annual turnover, the turnover of the best three years out of last ten year's turnover shall be considered.

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| Particular Construction Experience | <p>4.8 a. The Applicant shall provide evidence that it has successfully completed or substantially completed at least the number of contracts stated in the PITA, of contract amount, nature, complexity, and requiring construction technology similar to the proposed contract, within the period stated in the PITA. The works may have been executed by the Applicant as a prime contractor or as management contractor, or as member of a joint venture or as subcontractor with references being submitted to confirm satisfactory performance.</p> <p>b. The Applicant shall also provide evidence that it has achieved the minimum monthly and/or annual production rates of the key construction activities described in the PITA under similar contract conditions.</p> |
| Financial Capabilities | <p>4.9 The Applicant shall demonstrate that it has access to, or has available, liquid assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements for the subject contract(s) in the event of stoppage, start-up, or other delays in payment, of the minimum estimated amount stated in the PITA, net of the Applicant's commitments for other contracts.</p> <p>4.10 In the relevant Information Form, the Applicant shall also demonstrate, to the satisfaction of the Employer, that it has adequate sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments. For this the Applicants Bid Capacity shall be equal to or more than the value of the Slice or Package for which the Applicant has submitted Application for prequalification.</p> <p>4.11 if not required by the laws of the Applicant's country, other financial statements acceptable to the Employer, for the last ten years (unless otherwise stated in the PITA) shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term profitability. If deemed necessary, the Employer shall have the authority to make inquiries with the Applicant's Financers.</p> |
| Personnel Capabilities | <p>4.12 The Applicant shall supply general information on the management structure of the firm, and shall make provision for suitably qualified personnel to fill the key positions listed in the PITA, as required during contract implementation. The Applicant shall supply information on a prime candidate and an alternate, if stated in PITA, for each key position, both of whom shall meet the experience requirements specified.</p> |
| Equipment Capabilities | <p>4.13 The Applicant shall own, or have assured access (through hire, lease, purchase agreement, other commercial means, or approved subcontracting) to key items of equipment, in full working order, as listed in the PITA, and must demonstrate that, based on known</p> |

4. General Instructions to Applicants (GITA)

- commitments, they will be available for timely use in the proposed contract. The Applicant may also list alternative types of equipment that it would propose for use on the contract, together with an explanation of the proposal.
- Litigation History** 4.14 The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years. A consistent history of awards against the Applicant or any partner of a joint venture may result in disqualification of the Applicant.
- Slice and Package** 4.15 When applying for prequalification on more than one contract under the slice and package arrangements, the Applicant must provide evidence that it meets or exceeds the sum of all the individual requirements for the slices or lots being applied for in regard to:
- a. average annual turnover (Sub-Clause 4.7 (b));
 - b. particular experience including key production rates (Sub-Clause 4.8);
 - c. financial capabilities, etc. (Sub-Clauses 4.9, 4.10, and 4.11);
 - d. personnel capabilities (Sub-Clause 4.12); and
 - e. equipment capabilities (Sub-Clause 4.13)
- In case the Applicant fails to fully meet any of these criteria, it may be qualified only for those slices for which the Applicant meets the above requirement.
- Clarifications of Applications** 4.16 To assist in the evaluation of Applications, the Employer may, at its discretion, ask any Applicant for a clarification of its application which shall be submitted within a stated reasonable period of time. Any request for clarification and all clarifications shall be in writing.
- Right to Waive** 4.17 The Employer reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the capability of an Applicant to perform the contract.

5. Joint Ventures

- Eligibility** 5.1 If the Applicant comprises a number of firms with a formal intent to enter into an agreement or under an existing agreement in the form of a Joint Venture (JV). Then all the partners to the JV shall be jointly and severally liable. A joint venture and the individual partners in the joint venture shall need to be registered in GoN, Internal Revenue Office before signing Contract Agreement.
- Qualification Criteria** 5.2 The joint venture must satisfy collectively the criteria of Clause 4. For this purpose the following data of each member of the joint venture shall be added together to meet the collective qualifying criteria. However the Partner in charge and each individual partner of joint venture must meet the percentages¹ respectively of the requirement

4. General Instructions to Applicants (GITA)

as specified in the PITA of the criteria Sub – Clause 5.2(a) ,5.2(c) and 5.2 (d) below:

- a. average annual turnover (Sub-Clause 4.7 (b));
- b. particular experience (Sub-Clause 4.8 (a)) and key production rates (Sub-Clause 4.8 (b))
- c. construction cash flow (Sub-Clause 4.9);
- d. adequate sources to meet financial commitments in this and other contracts (Sub-Clause 4.10),
- e. personnel capabilities (Sub-Clause 4.12); and
- f. equipment capabilities (Sub-Clause 4.13)

Each partner must satisfy the following criteria individually:

- a. general construction experience for the period of years stated in Sub-Clause 4.7 (a),
- b. adequate resource for completing the work in hand or committed new work (sub Clause 4.10)
- c. financial soundness (Sub-Clause 4.11), and
- d. litigation history (Sub-Clause 4.14).

In accordance with the above, the Application shall include all related information required under Clause 4 for individual partners in the joint venture.

Partner in Charge	5.3	One of the partners, who is responsible for performing a key function in contract management or is executing a major component of the proposed contract, shall be nominated as being in charge during the prequalification and bidding periods and, in the event of a successful bid, during contract execution. The partner in charge shall be authorized to incur liabilities and receive instructions for and on behalf of any and all partners of the joint venture; this authorization shall be evidenced by submitting a power of attorney signed by legally authorized signatories of all the partners. Such authorization letter shall not be changed by the Applicant unilaterally and or without approval from the Employer.
Partner Limitation	5.4	Limit on the number of partners in a JV shall be as stated in the PITA however; the attention of Applicants is drawn to the provisions of Sub-Clause 5.5.
Joint and Several Liability	5.5	All partners of the joint venture shall be legally liable, jointly and severally, during the bidding process and for the execution of the contract in accordance with the contract terms, and a statement to this effect shall be included in the authorization mentioned under Sub-Clause 5.3 above.
Joint Venture Agreement	5.6	A copy of the Joint Venture Agreement (JVA) entered into by the partners shall be submitted with the Application. Alternatively, a Letter of Intent to execute a JVA in the event of a successful bid shall be signed by all partners and submitted with the Application together with a copy of the proposed Agreement. Pursuant to Sub-Clauses 5.3 to 5.5 above, the JVA shall include among other things: the JV's

objectives; the proposed management structure; the contribution of each partner to the joint venture operations; the commitment of the partners to joint and several liability for due performance; recourse/sanctions within the JV in the event of default or withdrawal of any partner; and arrangements for providing the required indemnities.

Once submitted to the Employer such Joint venture agreements shall not be changed by the Applicant unilaterally and or without approval from the Employer.

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| Dissolution of Joint Venture | 5.7 | Prequalification of a joint venture Applicant does not prequalify any of its partners to bid individually or as a partner in any other joint venture or association. In case of dissolution of a joint venture prior to the submission of bids, any of the constituent firms may prequalify if they meet all of the prequalification requirements, subject to the written approval of the Employer. Individual members of a dissolved joint venture may participate as subcontractor to qualified Applicants, subject to the provisions of Sub-Clause 9.3. |
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6. Domestic bidder Price Preference

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| Eligibility | 6.1 | A domestic price preference for qualifying domestic bidders shall apply in bid evaluation as described in Sub-Clauses 6.2. On the basis of information submitted by Applicants and available at the time of notification, the Employer will inform prequalified Applicants of their apparent eligibility to qualify for the domestic bidder price preference (subject to subsequent confirmation at bid evaluation), in accordance with Sub-Clauses 6.2. |
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| Domestic bidders | 6.2 | Domestic bidders shall provide all evidence necessary to prove that they meet the following criteria to be eligible for a margin of preference stated below in the comparison of their bids with those of bidders who do not qualify for the preference. |
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Domestic bidders which meet the following criteria shall be given a preference as specified in PITA.

- a. for an individual firm or joint venture of firms:
 - i. each firm is registered in Nepal,
 - ii. each firm has more than 50 percent ownership by nationals of Nepal
 - iii. will not subcontract more than 50 percent of the total value of the Works to foreign contractors,
 - iv. satisfies any other criteria specified for the purpose of domestic preference eligibility in the Bidding Data.
- b. for a joint venture between domestic and foreign firms:
 - i. each domestic firm is eligible for the preference according to the criteria stated in (a) above,
 - ii. at least 50 percent share in the joint venture is held by the Nepalese firms as demonstrated by the profit and loss sharing provisions of the joint venture agreement,
 - iii. will not subcontract more than 50% of the total value of the works to the foreign partner or other foreign firms,
 - iv. satisfies any other criteria specified for the purpose of domestic preference eligibility in the Bidding Data.

7. Requests for Clarification

Notification and Response	7.1 Applicants are responsible for requesting any clarification of the prequalification documents. A request for clarification shall be made in writing to the Employer's address indicated in the PITA. The Employer will respond to any request for clarification that it receives earlier than 15 days prior to the deadline for submission of application. Copies of the Employer's response, including a description of the inquiry but without identifying its source, will be forwarded to all purchasers of the prequalification document
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8. Amendment of Prequalification Document

Amendment of Prequalification Document	8.1 At any time prior to the deadline for submission of Applications, the Employer may amend the Prequalification Document by issuing addenda
	8.2 Any addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all who have obtained the Prequalification Document directly from the Employer.
	8.3 To give prospective Applicants reasonable time in which to take an addendum into account in preparing their Applications, the Employer may, at its discretion, extend the deadline for the submission of applications.

9. Submission of Application

Cost of Applications	9.1 The Applicant shall bear all costs associated with the preparation and submission of its application, and the Employer shall in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.
Delivery	9.2 Submission of application for prequalification must be received in sealed envelopes either delivered by hand or by registered mail to the address, and not later than the time and date stated in the PITA or as modified in accordance with Sub –Clause 8.3. The name and mailing address of the Applicant shall be indicated on the envelope, which shall be clearly marked as indicated in the PITA. A receipt will be given for all applications submitted.
Late Applications	9.3 Prequalification application received later than the specified time in Sub - Clause 9.2 shall be returned unopened.
Language	9.4 All information requested for prequalification shall be provided by Applicants in the language indicated in the PITA. Information may be provided in another language, but it shall be accompanied by an accurate translation of its relevant passages into the language indicated in the PITA. Such translation shall be attested by the Applicant's country representative offices in Nepal. This translation will govern and will be used for interpreting the information.
Lack of	9.5 Failure of an Applicant to provide comprehensive and accurate

4. General Instructions to Applicants (GITA)

Information		information that is essential for the Employer's evaluation of the Applicant's qualifications, or to provide timely clarification or substantiation of the information supplied, may result in disqualification of the Applicant. If an Applicant can not submit a particular document as stated in the PQ document then a equivalent document submitted by the Applicant's may be considered for evaluation.
Material Changes	9.6	Subsequently prequalified or conditionally prequalified Applicants shall inform the Employer of any material change in information that might affect their qualification status. Bidders shall be also required to update key prequalification information at the time of bidding. Prior to award of contract, the lowest evaluated bidder will be required to confirm its continued qualified status in a post qualification review process. If the status is found to be substantially of lower qualification than at the time of Prequalification, such bids shall be cancelled and not evaluate

10. Employer's Notification and Bidding Process

Invitation for Bids	10.1	Within the period stated in the PITA from the date for submission of applications, the Employer will notify all Applicants in writing of the results of their application, including eligibility for domestic bidder price preference, in accordance with Clause 6, and of the names of all prequalified and conditionally prequalified applicants (see Sub-Clause 10.2 below).
Conditional Prequalification	10.2	An Applicant may be "conditionally prequalified," that is, qualified subject to certain specified nonmaterial deficiencies in the prequalification requirements being met by the Applicant to the satisfaction of the Employer, before submitting a bid. Upon full compliance with the prequalification requirements, other prequalified applicants will be notified accordingly.
One Bid per bidder	10.3	A qualified firm or a member of a qualified joint venture may participate in only one bid for the contract. If a firm submits more than one bid, singly or in joint venture, all bids including that firm will be rejected. However, this does not limit the inclusion of the same subcontractor, not otherwise participating as a Bidder, in more than one bid.
Bid Security	10.4	Bidders will be required to provide bid security in the form and amount indicated in the bidding documents. The successful bidder will be required to provide performance security in the form and amount indicated in the bidding documents.
Changes after Prequalification	10.5	<p>Any change in the structure or formation of an Applicant after being prequalified and invited to bid shall be subject to written approval of the Employer. Any such change shall be submitted to the Employer not later than fourteen (14) days after the date of the Invitation to Bid. Such approval shall be denied if as a consequence of any change,</p> <ul style="list-style-type: none">a. an individual firm, or a joint venture as a whole, or any individual member of the JV fails to meet any of the collective or individual qualifying requirements;b. the new partners to a joint venture were not prequalified in the

4. General Instructions to Applicants (GITA)

first instance, either as individual firms or as another joint venture; or

- c. in the opinion of the Employer, a substantial reduction in competition may result.

Employer's
Rights

10.6 The Employer reserves the right to take the following actions, and shall not be liable for any such actions:

- a. amend the scope and cost of any contract to be bid under this project, in which event bids will be invited only from those applicants who meet the resulting amended prequalification requirements;
- b. reject or accept any prequalification application, and/or any late application; and
- c. cancel the prequalification process and reject all applications.

5. Particular Instructions to Applicants (PITA)

Part A: General

These particular instructions and related Information Forms are intended to complement, amend, or supplement the provisions in the GITA. In the event of conflict or ambiguity, the provisions in the PITA shall prevail over those in the GITA.

GITA Clause Reference

1.1	<p><u>Source of Funds</u></p> <p>Government of Nepal</p> <p>Amount of Fund: Cost of the Project</p> <p>Name of Project: Bheri Babai Diversion Multipurpose Project</p> <p>Bheri Babai Diversion Multipurpose Project (BBDMP) is a multipurpose project aimed to divert 40 m³/s of water from Bheri river to Babai river to irrigate 51,000 Ha agricultural land in Bardiya and Banke districts of Nepal and also to generate about 400 GWH hydroelectric energy annually (48 MW installed capacity). Main work under the contract includes construction of a 12 Km long Headrace Tunnel with about 4.2 m finished diameter. The tunnel shall be constructed using a suitable type of Tunnel Boring Machine (TBM) and lined with precast concrete segments.</p> <p>The tunnel alignment lies in Surkhet and Bardia districts of Mid Western Development region of Nepal. Inlet portal of the tunnel lies in Ramghat VDC of Surkhet district, outlet portal lies in Belwa VDC of Bardiya District and almost all part of the tunnel lies within Surkhet District. Geologically the project area lies in the region occupied by rocks of the Siwalik group. The tunnel alignment passes through inter-bedded Mudstone, Sandstone and Conglomerate type of rocks with variable soil cover and also intersects two local faults.</p> <p>The project area is about 560 Km from Kathmandu and is accessible by all weather black topped highway. Only about 2.5 km access road needs to be constructed to access the construction site from the highway.</p>
1.2	<p><u>The Employer:</u></p> <p>Department of Irrigation Jawalakhel, Lalitpur, Nepal Tel: 00 977 1 5537136 Fax: 00 977 1 5537169 email: bbdmpp@gmail.com website: www.doi.gov.np</p>
1.3	<p><u>Slice and Package</u></p> <p>Concurrent bidding on more than one contract: No</p>
1.4	<p><u>Bid Invitation</u></p> <p>Expected date of Invitation for Bids: June 2014</p>

5. Particular Instruction to Applicants (PITA)

4.11	<p><u>Audited Balance Sheets</u></p> <p>Time period: Audited Balance Sheets of Last Ten Fiscal Years shall be submitted.</p> <p>In case of more than one balance sheet for a year (in cases when the firm is working in different joint ventures at the same period) a consolidated balance sheet should be submitted showing all income and expenditures).</p>
5.2	<p>Percentage to be met by each JV partner of minimum criteria 5.2(a),5.2(c) and 5.2(d): Twenty Five</p> <p>Percentage to be met by partner in charge of minimum criteria 5.2(a), 5.2(c) and 5.2(d): Forty</p> <p>For 5.2 (b) each of the Joint Venture partners and partner-in-charge shall meet the minimum criteria as stipulated in Sub-Clause 4.8 (a).</p>
5.4	<p><u>Joint Ventures</u></p> <p>Partner Limitation: Three, including manufacturer of Tunnel Boring Machine, if so proposed.</p>
6.1	<p><u>Domestic bidder Price Preference</u></p> <p>Preference shall apply for Eligible Domestic bidders: Yes</p>
6.2	<p>Domestic bidders which meet the criteria as specified shall be given a preference of: Seven Point Five percent</p>
7.1	<p><u>Requests for Clarification:</u></p> <p>Address: Bheri Babai Diversion Multipurpose Project Unit Office, Room No. 326, Department of Irrigation Building Jawalakhel, Lalitpur, Nepal Ph No. 00 977 1 5522161, Fax 00 977 1 5537169; email: bbdmpp@gmail.com</p> <p>Clarifications shall be sought in writing. The Applicant may seek clarifications through email or fax or directly through a letter. The Employer will provide clarifications in writing and shared to all firms obtaining the PQ Documents. Any change in the PQ document as necessary shall be issued to all the applicants in the form of form of Addenda/Addendum.</p>
9.2	<p><u>Submission of Applications</u></p> <p>Address: Office of Deputy Director General Surface Irrigation, Environment and Mechanical Management Division Department of Irrigation Jawalakhel, Lalitpur, Nepal Phone 015537311</p> <p>Date for Submission: On or before 1200 Hrs of</p> <p>Envelope marking "Prequalification Application for Contract No. Civil 01/ HRT/BBDMPP; Construction of Headrace Tunnel for Bheri Babai Diversion Multipurpose Project "</p>
9.4	<p><u>Language:</u> English</p>
10.1	<p><u>Employer's Notification</u></p> <p>Time period from submission of applications: 45 Days</p>

Part B: Specific Contract Requirements

These particular instructions and related Information Forms (IF) are intended to complement, amend, or supplement the provisions in the GITA. In the event of conflict or ambiguity, the provisions herein shall prevail over those in the GITA.

GITA Clause Reference

1.2	<p><u>Scope of Work</u></p> <p>Contract Reference: Contract No. Civil 01/ HRT/BBDMP Title: Construction of Head Race Tunnel for Bheri Babai Diversion Multipurpose Project</p> <p>The Works: The works under the contract mainly include construction of 12 Km long tunnel with excavated diameter of about 5 m (finished diameter of 4.2 m) and lined with precast segmental lining using Tunnel Boring Machine (TBM). Other works include construction of about 2.0 Km access road from Ratna highway to the TBM inlet area, TBM platform, TBM entry portal, construction camp etc.</p> <p>Approximate quantities of the major items are below:</p> <table border="1"> <thead> <tr> <th>Major Items of Work</th><th>Quantity</th></tr> </thead> <tbody> <tr> <td>Construction of Tunnel with finished diameter of 4.2 m (about 5 m excavated diameter) and lined with precast concrete segments using Tunnel Boring Machine.</td><td>12 Km</td></tr> <tr> <td>Precast concrete segment lining 30 cm or more thick</td><td>51,500 m³</td></tr> <tr> <td>Reinforcement work for precast concrete segment lining</td><td>5,000 MT</td></tr> <tr> <td>Pea gravel and grouting in annular space</td><td>18,000 m³</td></tr> <tr> <td>Total volume of earth/rock to be excavated for tunnel and TBM inlet platform (without considering bulking factor)</td><td>425,000 m³</td></tr> </tbody> </table> <p>For more details on the work please refer PITA Part A Sub Clause 1.1.</p>	Major Items of Work	Quantity	Construction of Tunnel with finished diameter of 4.2 m (about 5 m excavated diameter) and lined with precast concrete segments using Tunnel Boring Machine.	12 Km	Precast concrete segment lining 30 cm or more thick	51,500 m ³	Reinforcement work for precast concrete segment lining	5,000 MT	Pea gravel and grouting in annular space	18,000 m ³	Total volume of earth/rock to be excavated for tunnel and TBM inlet platform (without considering bulking factor)	425,000 m ³
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Total volume of earth/rock to be excavated for tunnel and TBM inlet platform (without considering bulking factor)	425,000 m ³												
1.5	<p><u>Type of Contract</u></p> <p>Bidding Documents: Bidding Documents based on the Condition of Contract for Construction, for Building and Engineering Works Designed by the Employer, Version 1999 (FIDIC Red Book 1999)</p> <p>Method of payment: Unit Rate with BoQ</p> <p><u>Price Adjustment</u>:: Applicable</p> <p><u>Time for completion</u>: 233 weeks</p>												
1.6	<p><u>Site Information:</u></p> <p>See Annex-I for Site Information</p>												
4.2	<p><u>Nominated Subcontracting:</u></p> <p>Not Applicable</p>												
4.3	<p><u>Subcontracting by Applicant:</u></p> <p>Applicant shall provide relevant information if more than 20 percent of the Applicant's approximated</p>												

	Bid Price is subcontracted for specialized work. (Refer Information Form 3 and 3A)						
4.7	<p><u>General Construction Experience</u></p> <p><u>Time period in the Construction Business: Ten Years</u></p> <p>(b) <u>Required average annual turnover: US\$ 68 million over the last ten years</u></p> <p>For the foreign firms or companies applying for the prequalification, no inflation or price index will be applied to evaluate the annual turnover amount of past years in the current year. The average annual turnover for ten years will be considered in the evaluation.</p>						
4.8	<p><u>Particular Construction Experience</u></p> <p>(a) <u>Required number of similar contracts completed: As per following conditions:</u></p> <p>(i) The Applicant should have successfully executed at least one number of construction contract that includes a precast segment lined tunnel using any type Tunnel Boring Machine (TBM) having tunnel length of at least 10.0 Km (single tunnel) and finished diameter 4.0 m or more as a prime contractor or as a member of joint venture but not as a subcontractor.</p> <p>(ii) In case the TBM used for the construction contract as mentioned in paragraph (i) above is not a Shield type TBM the Applicant should have successfully executed at least one number of additional construction contract that includes a precast segment lined tunnel using Shield type TBM having tunnel length of at least 5.0 Km (single tunnel) and finished diameter 4.0 m or more as a prime contractor or as a member of joint venture but not as a subcontractor.</p> <p>An ongoing Contract in which the Applicant has completed the length as required in paragraph (i) and (ii) above shall be considered as successfully executed.</p> <p>(iii) The Applicant should have executed at least one of the two contracts mentioned in paragraphs (i) and (ii) above outside home country</p> <p style="text-align: center;">OR</p> <p>the Applicant should have successfully executed one additional construction related contract of value of at least US\$ 80 Million outside home country.</p> <p>(iv) If the Applicant is a joint venture, each of the joint venture partner should have successfully executed at least one number of construction contract that includes a tunnel using any type of TBM.</p> <p><u>Within time period of: Last Ten Years</u></p> <p>(b) <u>Minimum key production rates of works carried out within the time period:</u></p> <table border="1" style="width: 100%;"> <thead> <tr> <th>S No</th><th>Works</th><th>Minimum Production Rate</th></tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td><td>Excavation and segmental lining using shield TBM of diameter 4.0 m or more.</td><td style="text-align: center;">300 m/month</td></tr> </tbody> </table>	S No	Works	Minimum Production Rate	1	Excavation and segmental lining using shield TBM of diameter 4.0 m or more.	300 m/month
S No	Works	Minimum Production Rate					
1	Excavation and segmental lining using shield TBM of diameter 4.0 m or more.	300 m/month					
4.9	<p><u>Financial Capabilities</u></p> <p><u>Minimum Required Cash Flow amount: US\$ 11.25 million</u></p>						
4.10	<p><u>Adequate Source of Finance</u></p> <p>Minimum Bid Capacity (BC) to meet cash flow requirement for this and other contract commitment</p>						

5. Particular Instruction to Applicants (PITA)

	<p>through the leveraged value of the applicant's available resources:</p> <p>Where,</p> <p>Bid Capacity (BC) = 5× total financial resources - 40% of total contract value of current commitments</p> <p>In case of joint venture each partner of the joint venture shall meet the criteria.</p>																																				
4.11	<p><u>Applicant's Financial Position:</u></p> <p>The audited balance sheets and income statements or, if not required by the law of the applicant's country, other financial statements acceptable to the Employer, for the last 5 (five) years should demonstrate the current soundness of the applicants financial position.</p>																																				
4.12	<p><u>Personnel Capabilities:</u></p> <table><tr><th>S No</th><th>Position</th><th>Required Number</th><th>Minimum Qualification</th><th>Total Work/ Business Experience (years)</th><th>Specific Experience</th></tr><tr><td>1</td><td>Project Manager</td><td>1</td><td>Master's or Bachelor's Degree in Engineering or Management or equivalent</td><td>10</td><td>Successfully completed at least one TBM Tunneling project.</td></tr><tr><td>2</td><td>Deputy Project Manager/ Tunneling Expert</td><td>1</td><td>Master's or Bachelor's Degree in Engineering</td><td>5</td><td>Successfully completed at least one TBM Tunneling project.</td></tr><tr><td>3</td><td>Geotechnical Engineer/Geologist</td><td>1</td><td>Master's Degree in Engineering Geology or Geotechnical Engineering or Geology</td><td>5</td><td>Successfully completed at least one tunneling project</td></tr><tr><td>4</td><td>Quality Control Engineer</td><td>1</td><td>Bachelor's Degree in Civil Engineering</td><td>5</td><td>Five years of experience in tunneling and successfully completed at least one precast concrete segment lined tunneling project.</td></tr><tr><td>5</td><td>TBM Specialist</td><td>1</td><td>Relevant Academic Qualification and or Professional Certificate</td><td>5</td><td>Successfully completed at least one shield TBM tunneling project.</td></tr></table>	S No	Position	Required Number	Minimum Qualification	Total Work/ Business Experience (years)	Specific Experience	1	Project Manager	1	Master's or Bachelor's Degree in Engineering or Management or equivalent	10	Successfully completed at least one TBM Tunneling project.	2	Deputy Project Manager/ Tunneling Expert	1	Master's or Bachelor's Degree in Engineering	5	Successfully completed at least one TBM Tunneling project.	3	Geotechnical Engineer/Geologist	1	Master's Degree in Engineering Geology or Geotechnical Engineering or Geology	5	Successfully completed at least one tunneling project	4	Quality Control Engineer	1	Bachelor's Degree in Civil Engineering	5	Five years of experience in tunneling and successfully completed at least one precast concrete segment lined tunneling project.	5	TBM Specialist	1	Relevant Academic Qualification and or Professional Certificate	5	Successfully completed at least one shield TBM tunneling project.
S No	Position	Required Number	Minimum Qualification	Total Work/ Business Experience (years)	Specific Experience																																
1	Project Manager	1	Master's or Bachelor's Degree in Engineering or Management or equivalent	10	Successfully completed at least one TBM Tunneling project.																																
2	Deputy Project Manager/ Tunneling Expert	1	Master's or Bachelor's Degree in Engineering	5	Successfully completed at least one TBM Tunneling project.																																
3	Geotechnical Engineer/Geologist	1	Master's Degree in Engineering Geology or Geotechnical Engineering or Geology	5	Successfully completed at least one tunneling project																																
4	Quality Control Engineer	1	Bachelor's Degree in Civil Engineering	5	Five years of experience in tunneling and successfully completed at least one precast concrete segment lined tunneling project.																																
5	TBM Specialist	1	Relevant Academic Qualification and or Professional Certificate	5	Successfully completed at least one shield TBM tunneling project.																																

4.13	Equipment Type and Characteristics	
	S No	Equipment Type
	1	<p>Tunnel Boring Machine of Suitable Type: An Agreement with a TBM Manufacturer having qualification mentioned below with commitment to design and supply suitable type of TBM within reasonable time period and operation and maintenance of the machine throughout the contract period.</p> <p>Qualification requirement for the TBM manufacturer:</p> <p>(i) TBM manufacturer must have capacity to manufacture following type of TBM</p> <ul style="list-style-type: none">- Single Shield TBM with probing and grouting and facilities- Double Shield TBM with probing and grouting and facilities <p>The manufacturer should also demonstrate that the TBM supplied by the manufacturer has:</p> <p>(ii) Successfully completed at least five tunnels (each of length 12 km or more) using Shield type TBM manufactured by the company</p> <p>(iii) Successfully completed at least 100 km of tunnel by the TBM of any type manufactured by the company.</p>
	2	<p>Precast Segmental Lining Production Plant including adequate number of mould and steam curing facilities all complete:</p> <p>An agreement with a manufacturer of mould and steam curing facilities for the precast segments stating that the supplies will be of a standard quality certified by a related institution and within reasonable time period.</p>
	3	<p>Continuous Belt Conveyor system all complete:</p> <p>An Agreement with the manufacturer of the Belt Conveyor stating that the supplies will be of a standard quality certified by a related institution and within reasonable time period.</p>

The applicant must submit the evidences/certificates of all above requirement along with the application. Copies of the certificates submitted must be authenticated by the concerned authorized agency of the country of registration of the Applicant.

Annex-I : Site Information

Pursuant to GITA 1.6, attached hereto is general information and site data relating to the subject contract.

Access to the Project Area

The project area is about 560 km from Kathmandu with 492 km through Tribhuvan, Prithvi and Mahendra Highway up to Kohalpur in Banke district. Thereafter, the project area is about 35 km along Ratna highway (Kohalpur - Surkhet) up to Chepang Bazaar in Bardiya district. The highway is black topped up to the Chepang Bazaar, from where about 2.5 km of the access road has to be constructed including upgrading of about 500 m of existing earthen road.

From the border of India

Nepal is a landlocked country and has to depend on its neighboring countries for the supply of some construction materials and equipments. Nearest Indian border town from project site is Rupadiya which is adjoining to Nepalgunj Municipality in Banke district of Nepal. Headworks site is about 90 Km and powerhouse site is 65 km from Rupadiya. Required materials and equipments from India can be transported via Rupadiya,-Nepalgunj-Surkhet road to the project site.

Geology

Geologically, the project area lies in the region occupied by the rocks of the Siwalik group with variable soil cover. Siwalik zone consists of sedimentary rocks of fluvial origin belonging to the Neogene age. These rocks are broadly classified into Upper Siwalik, Middle Siwalik and Lower Siwalik formations. The Lower Siwalik is the southernmost unit of the Siwalik group and is dominated by mudstone and shale with few beds of fine grained sandstone. The Middle Siwalik formation consists of inter-bedded sandstone and mudstone with upper part consisting of medium to coarse grained sandstone. The Upper Siwalik consists of cobble, pebble to boulder conglomerate with few beds of sandstone and mudstone. Headworks area consists of medium to coarse grained sandstone of the Middle Siwalik. Most of headrace tunnel penetrate through the poor rocks except in few parts of thick to very thick bedded sandstone of the Middle Siwalik. Powerhouse area comprises of thick colluvial deposits with gravel to cobble, dirty yellow sandstone and quartzite.

Climate

The climate of this area is characterized with a marked rainy season during June to September. The annual rainfall varies between 1000 mm and 2400 mm and monsoon rainfall varies between 700 mm and 1700 mm. Temperature varies with the altitude and direction of the slope face. January has the lowest air temperature of 12.3°C and June has the highest temperature of 27.8°C based on the climatological station, Surkhet which represents the temperature of the headworks area. Based on the Rani Jaruwa station, temperature in powerhouse may range from 14.9°C in January to 30.9°C in June. The monthly mean relative humidity ranges from 36% in April to 84% in August at the headworks area and from 58% in April to 85% in August at the powerhouse area.

Hydrology

Bheri River catchment lies in Karnali River Basin and is a major tributary of Karnali River. The catchment originates from the Himalayan glaciers in the north. The catchment of Bheri River at the proposed project site has characteristics of mountainous catchment. The catchment area of the Bheri River is 12062 km² at the proposed intake site. It has elevation ranging from 445 m to about 6000 masl. Sani-Bheri River and Thuli-Bheri River are the major tributaries feeding water to Bheri River. Most of the upstream catchments are snow covered which is why the flow in Bheri River is relatively reliable as compared to other basins. Bheri River meets Karnali at about 11Km downstream of Jamu Station. Average annual precipitation in the Bheri basin is 1120 mm. The average yearly flow at the intake site is 331.89 m³/s with the minimum monthly flow of 75.68 m³/s in March and maximum monthly flow of 1090.54 m³/s in August. The 1000-year return period flood is 7532 m³/s and 6761 m³/s at the intake and powerhouse site respectively.

Communication and Medical Facilities

The construction site has access to CDMA telephone and GSM mobile phones. Land line is available at Chepang bazaar. Nepalgunj Medical College is located at Kohalpur, about 35 km from the construction site.

6. Letter of Application

[Letterhead paper of the Applicant or partner responsible for a joint venture, including full postal address, and telephone, facsimile and electronic mail]

Date:

To: _____
[name and address of the Employer]

Name of Project: _____

Being duly authorized to represent and act on behalf of _____ (hereinafter referred to as "the Applicant"), and having reviewed and fully understood all of the prequalification requirements and information provided, the undersigned hereby applies for prequalification to bid on the contract or contracts indicated below:

[If prequalification refers to only one contract, delete the following paragraph and table, and insert the single contract reference and title.]

We have indicated (by signature) in column (3) below our preference for individual contract consideration, or for any combination thereof within our prequalified capacity as assessed by you.

Contract reference (1)	Contract title (2)	Preferred individual contract (3)
1.		
2.		
3.		
4. etc.		

2. Attached to this letter are copies of original documents defining¹:

- (a) the Applicant's legal status;
- (b) the principal place of business; and
- (c) the place of incorporation (for Applicants that are corporations), or the place of registration and the nationality of the owners (for Applicants that are partnerships or individually owned firms).

¹ For applications by joint ventures, all the information requested in the prequalification documents is to be provided for the joint venture, if it already exists, and for each party to the joint venture separately. The lead partner should be clearly identified. Each partner in the joint venture shall sign the letter.

3. With reference to GITA Sub-Clause 4.3, it is our intention to subcontract approximately _____ percentage of the Bid/Contract Price, details of which are provided herein.
4. Your Agency and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our other Agencies and Clients regarding any financial and technical aspects. This Letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information to provide such information deemed necessary and as requested by your selves to verify statements and information provided in this application, such as the resources, experience, and competence of the Applicant.
5. Your Agency and its authorized representatives may contact the following persons for further information²:

General and managerial inquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

Personnel inquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

Technical inquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

Financial inquiries	
Contact 1	Address and communication facilities
Contact 2	Address and communication facilities

6. This application is made with the full understanding that:
 - (a) bids by prequalified Applicants will be subject to verification of all information submitted for prequalification at the time of bidding;
 - (b) your Agency reserves the right to:
 - amend the scope and value of any contracts to be bid under this project; in which event, bids will be invited only from those Applicants who meet the resulting amended prequalification requirements; and
 - reject or accept any application, cancel the prequalification process, and reject all applications.
 - (c) your Agency shall not be liable for any such actions under 6 (b) above.

² Applications by joint ventures should provide on a separate sheet equivalent information for each party to the application.

7. Appended to this application, we give details of the participation of each party, including capital contribution and profit/loss agreements, in the joint venture³ or association. We also specify the financial commitment in terms of the percentage of the value of the each contract, and the responsibilities for execution of the each contract.
8. We confirm that if we bid, that bid, as well as any resulting contract, will be:
- (a) signed so as to legally bind all partners, jointly and severally; and
 - (b) submitted with a joint venture agreement providing the joint and several liability of all partners in the event the contract is awarded to us.
9. The undersigned declare that the statements made and the information provided in the duly completed application are complete, true, and correct in every detail.

Signed	Signed
Name	Name
For and on behalf of (name of Applicant or lead partner of a joint venture)	For and on behalf of (name of partner)

Signed	Signed
Name	Name
For and on behalf of (name of partner)	For and on behalf of (name of partner)

Signed	Signed
Name	Name
For and on behalf of (name of partner)	For and on behalf of (name of partner)

³ Applicants who are not joint ventures should delete paras. 7 and 8 and initial the deletions. The attention of Applicants who are JVs is drawn to GITA Sub-Clause 5.6 regarding Letters of Intent.

7. Information Forms

Supplementary information may be provided by Applicants as deemed necessary.



A handwritten signature in blue ink, appearing to be "Subit", is written on a light blue background.

General Information

All individual firms and each partner of a joint venture applying for prequalification are requested to complete the information in this form. Nationality information should be provided for all owners or Applicants that are partnerships or individually owned firms.

Where the Applicant proposes to use named subcontractors for highly specialized components of the Works (reference Sub-Clause 4.4 of the GITA), the following information should also be supplied for the subcontractor(s), together with the information in Forms 2, 3, 3A, 4, and 5.

1.	Name of firm	
2.	Head office address	
3.	Telephone	Contact
4.	Fax	Email
5.	Place of incorporation / registration	Year of incorporation / registration

Nationality of owners ¹		
	Name	Nationality
1.		
2.		
3.		
4.		
5.		

1. To be completed by all owners of partnerships or individually owned firms.

The Applicant shall submit:

1. Articles of incorporation or constitution of legal entity (ies).
2. Authorization to represent the firm or JV named above.
3. In case of JV, letter of intent to form JV or JV agreement.
4. Power of Attorney to sign the Application.



General Construction Experience Record

(ref. GITA Sub-Clause 4.7)

Name of Applicant or partner of a joint venture

All individual firms and all partners of a joint venture are requested to complete the information in this form with regard to the management of Works contracts. The information supplied should be the annual turnover of the Applicant (or each member of a joint venture), in terms of the amounts billed to clients for each year for work in progress or completed, in *[Nepali Rupees or US Dollars converted at the rate of exchange at the end of the period reported]*. The annual periods should be calendar years, with partial accounting for the year up to the date of submission of applications.

A brief note on each contract should be appended, describing the nature of the work, duration and amount of contract, managerial arrangements, Employer, and other relevant details.

Use a separate sheet for each partner of a joint venture.

Applicants should not enclose testimonials, certificates, and publicity material with their applications; they will not be taken into account in the evaluation of qualifications.

Annual turnover data (construction only)		
Year ¹	Turnover	[NRs. or US\$]
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

¹ The same period as in 4.7 of the PITA, commencing with the partial year up to the date of submission of applicants.



Joint Venture Summary

Names of all partners of a joint venture
1. Partner in charge
2. Partner
3. Partner
4. Partner
5. Partner
6. etc.

Total value of annual construction turnover, in terms of work billed to clients, in US\$ equivalent, converted at the rate of exchange at the end of the period reported:

Annual turnover data (construction only) : [NRs or US\$]											
Partner	Form 2 page no.	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
1. Partner in charge											
2. Partner											
3. Partner											
4. Partner											
5. Partner											
6. Etc.											
Total											



Particular Construction Experience Record

(ref. GITA Sub-Clauses 4.4 and 4.8)

Name of Applicant or partner of a joint venture or named subcontractor
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To prequalify, the Applicant shall be required to pass the specified requirements applicable to this form, as set out in the PITA.

On separate pages, using the format of Form (3A), the Applicant is requested to list contracts of a similar nature, complexity, and requiring similar construction technology to the contract or contracts for which the Applicant wishes to qualify, and which the Applicant has undertaken during the period, and of the number, stated in 4.8 of the PITA. Each partner of a joint venture should provide details of similar contracts on which they have had proportionate experience. The contract value should be based on the payment currencies of the contracts converted into U.S. dollars, at the date of substantial completion, or for ongoing contracts at the time of award. The information is to be summarized, using Form (3A), for each contract completed or under execution, by the Applicant or by each partner of a joint venture.

Where the Applicant proposes to use named subcontractors for highly specialized elements of the Works (reference Sub-Clause 4.4 of the GITA), the information in the following forms should also be supplied for each subcontractor (or alternate, if any).



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Details of Contracts of Similar Nature and Complexity

Name of Applicant or partner of a joint venture:

Use a separate sheet for each contract.

1.	Contract Number	
	Name of contract	
	Country	
2.	Name of Employer	
3.	Employer address	
4.	Nature of works and special features relevant to the contract for which the Applicant wishes to prequalify	
5.	Contract role (check one) <input type="checkbox"/> Prime contractor <input type="checkbox"/> Management contractor <input type="checkbox"/> Subcontractor <input type="checkbox"/> Partner in a joint venture	
6.	Amount of the total contract/ subcontract/ partner share (in specified currencies at completion, or at date of award for current contracts) Currency Currency Currency	
7.	Equivalent amount NRs Total contract: [NRs. or US\$] _____; Subcontract: [NRs. or US\$] _____; Partner share: [NRs. or US\$] _____	
8.	Date of award/completion	
9.	Contract was completed _____ months ahead/behind original schedule (if behind, provide explanation).	
10.	Contract was completed NRs. _____ equivalent under/over original contract amount (if over, provide explanation).	
11.	Special contractual/constructional requirements, including monthly/annual production rates of the key construction activities described in GITA 4.8	
12.	Indicate the approximate percent of total contract value (and NRs. amount) of work undertaken by subcontract, if any, and the nature of such work.	
13.	Provide following additional information: i. Type of TBM, Excavation Diameter, Name and Contact Address of Manufacturer of the TBM used for accomplishing the works as per document submitted for Particular Construction Experience (Clause 4.8 of PITA). ii. Documental evidence to substantiate supply of TBM by the respective manufacturer of TBM for the particular tunnel. iii. Coordinates (latitude and longitude) showing alignment of the tunnel at an interval of one km preferably compatible in Google earth satellite images.	



Note:

The applicant shall submit evidences to substantiate the information provided above. Copies of such evidences should be authenticated by the concerned agency of the applicant's country of registration.

The applicant should also provide website containing information of the projects completed.



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Summary Sheet: Current Contract Commitments / Works in Progress

Name of Applicant or partner of a joint venture

Applicants and each partner to an application should provide information on their current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

Name of contract	Employer, contact address/tel/fax/ email	Value of outstanding work (current NRs equivalent)	Estimated completion date	Average monthly invoicing over last six months [NRs. or US\$] month
1.				
2.				
3.				
4.				
5.				
etc.				

In accordance with GITA Sub-Clause 4.10, the Applicant shall provide evidence (in a similar manner to the requirements of Sub-Clause 4.9) to substantiate the adequacy of the sources of finance to meet the Applicant's cash flow requirements on the above contracts.

Financial Capabilities

Name of Applicant or partner of a joint venture

Applicants, including each partner of a joint venture, shall provide financial information to demonstrate that they meet the requirements stated in the PITA. Each applicant or partner of a joint venture shall complete this form. If necessary, separate sheets shall be used to provide complete banker information. A copy of the audited balance sheets shall be attached.

Autonomous construction subdivisions of parent conglomerate businesses shall submit financial information related only to the particular activities of the subdivision.

Banker	Name of Banker	
	Address of Banker	
	Telephone	Contact name and title
	Fax	Email

Summarize actual assets and liabilities in Nepali Rupees or US Dollar equivalent (at the rates of exchange current at the end of each year) for the previous five calendar years, or such period as stated in PITA 4.11. Based upon known commitments, summarize projected assets and liabilities in Nepali Rupees or US Dollar equivalent for the next two calendar years, unless the withholding of such information by stock market listed public companies can be substantiated by the Applicant.

Financial information [NRs or US\$]	Actual: Previous five years					Projected: Next two years	
	5	4	3	2	1	1	2
1. Total assets							
2. Current assets							
3. Total liabilities							
4. Current liabilities							
5. Profits before taxes							
6. Profits after taxes							

Specify proposed sources of financing, such as liquid assets, unencumbered real assets, lines of credit, and other financial means, net of current commitments, available to meet the total construction cash flow demands of the subject contract or contracts as indicated in PITA 4.9.

Source of financing	Amount [NRs or US\$]
1.	
2.	
3.	
4.	

Attach audited financial statements—including, as a minimum, profit and loss account, balance sheet, and explanatory notes—for the period stated in PITA 4.11 (for the individual Applicant or each partner of a joint venture).

If audits are not required by the laws of Applicants' countries of origin, partnerships and firms owned by individuals may submit their balance sheets certified by a registered accountant, and supported by copies of tax returns.



Personnel Capabilities

Name of Applicant

For specific positions essential to contract management and implementation, Applicants should provide the names of at least two candidates qualified to meet the specified requirements stated for each position. The data on their experience should be supplied on separate sheets using one Form (6A) for each candidate.

Applicants may propose alternative management and implementation arrangements requiring different key personnel, whose experience records should be provided.

1.	Title of position*
	Name of prime candidate
	Name of alternate candidate
2.	Title of position*
	Name of prime candidate
	Name of alternate candidate
3.	Title of position*
	Name of prime candidate
	Name of alternate candidate
4.	Title of position*
	Name of prime candidate
	Name of alternate candidate

*As listed in PITA 4.12.



Candidate Summary

Name of Applicant

Position		Candidate <input type="checkbox"/> Prime <input type="checkbox"/> Alternate	
Candidate information	Name of candidate		Date of birth
	Professional qualifications		
Present employment	Name of employer		
	Address of employer		
	Telephone		Contact (manager / personnel officer)
	Fax		Email
	Job title of candidate		Years with present employer

Summarize professional experience over the last ten years, in reverse chronological order. Indicate particular technical and managerial experience relevant to the project.

From	To	Company / Project / Position / Name of project and experience

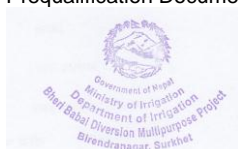
Details of the TBM tunnel project completed including location:

Name of Project	Location	Duration of involvement		Description of tunnel (length, diameter, detail of segment lining, if applicable etc)	Type of TBM used	Name of Client
		From	To			



7. Information Forms

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Equipment Capabilities

Name of Applicant

The Applicant shall provide adequate information to demonstrate clearly that it has the capability to meet the requirements for each and all items of equipment listed in the PITA 4.13. A separate Form (7) shall be prepared for each item of equipment listed in the PITA, or for alternative equipment proposed by the Applicant.

Item of equipment		
Equipment information	Name of manufacturer	Model and power rating
	Capacity	Year of manufacture
Current status	Current location	
	Details of current commitments	
Source	Indicate source of the equipment <input type="checkbox"/> Owned <input type="checkbox"/> Rented <input type="checkbox"/> Leased <input type="checkbox"/> To be purchased	

Following information about ownership to be provided for those equipment which is proposed to be rented or leased or purchased by the Applicant or partner.

Owner	Name of owner	
	Address of owner	
	Telephone	Contact name and title
	Fax	Email
Agreements	Details of rental / lease / purchasing agreements specific to the project <hr style="border-top: 1px dotted black;"/> <hr style="border-top: 1px dotted black;"/>	

Litigation History

Name of Applicant or partner of a joint venture

Applicants, including each of the partners of a joint venture, shall provide information on any history of litigation or arbitration resulting from contracts executed in the last five years or currently under execution (ref. GITA Sub-Clause 4.14). A separate sheet should be used for each partner of a joint venture.

Year	Award FOR or AGAINST Applicant	Name of client, cause of litigation, and matter in dispute	Disputed amount (current value, NRs equivalent)



8. E- Submission Procedure

A) Procedure

- I. An applicant who wishes to submit the Prequalification application electronically may purchase the Prequalification document directly from the Employer's office or may download the Prequalification documents from the e-procurement section of Department of Irrigation (DOI) website <http://www.doi.gov.np> and deposit the cost of the document in the Revenue (Rajashwa) Account of the Employer as specified in the notice and/or Prequalification document. The applicants are fully responsible for using e-submission facility of DOI website in specified procedure and in no case the Employer shall be held liable for applicant's inability to use this facility.

For the purpose of e-submission of application, first of all interested applicant has to register with essential information. Applicant registration shall be completed (applicant may use their user name and password to login DOI's e-procurement section) only after the applicant confirms his registration in automatically generated e-mail from DOI to applicant.

Proposed facility for submission of application electronically through e-submission is to increase transparency, non-discrimination, equality of access, and open competition.

- II The applicant shall fill in the following documents and forms, sign by the authorized representative and with the company seal.
- Letter of Application as of Chapter 6
 - Information Forms as of Chapter 7
- III The applicant shall then scan the completed original documents and forms in PDF files with appropriate file name as shown in the "PDF File Name" column of table below. All the documents mentioned in the table below are mandatory, non-submission of such files shall be considered as nonresponsive. PDF (Adobe Acrobat) version must be 4.0 and above.

S. N	Document	PDF File Name	Requirements	Remarks
1	Letter of Application as of Chapter 6	Application-1	Mandatory	
2	Company Registration	Company Reg -2	Mandatory	All firms in case of JV
3	VAT registration	VAT reg-3	Mandatory for national firms	All national firms in case of JV
4	Tax clearance certificate	Tax-4	Mandatory for national firms	All national firms in case of JV
5	Power of Attorney of Application Signatory	Power of Attorney-5	Mandatory	
6	Joint Venture Agreement	JV doc-6	Mandatory	In case of JV
7	Bank Voucher/ Demand Draft	Voucher-7	Mandatory	
8	Pre-qualification Information as of Chapter 7	Qualifications- 8	Mandatory	

- IV After preparing all the required Prequalification documents in PDF files as specified in (II) and (III), the applicant shall upload the PDF application files and submit the complete application online through e-procurement section of DOI website <http://www.doi.gov.np> within the specified date and time.
- V The e-procurement system will accept the e-submission of application from the day of publication of notice and will automatically not allow the e-submission of application after the deadline of



submission of application, as specified.

- VI The standard time for application submission is Nepalese Standard Time as set out in the server of DOI. In case of e-submission of applications, the e-procurement system will automatically not allow the e-submission of application after the deadline for submission of application.
- VII When an applicant submits electronic application by downloading the application documents from the DOI website, it is assumed that the applicant prepares the application after studying and examining all the application documents including General Instruction to Applicants (GITA) and Particular Instructions to Applicants (PITA).
- VIII In case, the applicant chooses to download the Prequalification documents and deposit the cost of Prequalification document (as specified in the notice) in the Revenue (Rajashwa) Account of the Employer, such deposited amount shall be verified by the Employer during application evaluation process. The application shall be non-responsive and shall not be evaluated if the specified cost of Prequalification document is not deposited in the specified Revenue (Rajashwa) Account for the said document.

B) Requirement and Conditions

- I In case both the electronic application and original application in hard copy are submitted to the Employer within the application submission deadline, the electronic application and original application will be accepted for evaluation provided the facts and figures in hard copy confirm to the electronic application. If there is any discrepancy in the facts and figures in electronic application and original application in hard copy, it will be treated as two separate applications from one applicant and hence, both electronic application and original application in hard copy shall be disqualified.
- II The e-submitted application must be readable through open standard interfaces. Unreadable and/or partially submitted application files shall be considered incomplete and rejected for further application evaluation.
- III In addition to electronically submitted PDF files, the applicant shall be required to submit original documents of those files within ten days after the deadline for last date of submission of application, failure of which shall disqualify the applicant.
- IV The applicant shall be required to submit documents and clarifications as required by the Employer. Non submission of such documents and/or clarifications by the applicant within prescribed days from the date of e-mail request by the Employer, shall disqualify the applicant.

C) Opening Process

- I Electronically submitted Prequalification document shall be opened first at the Prequalification document opening time.
- II The e-procurement system allows the Employer to download the e-submitted application files from the applicants only after the time for opening the applications.
- III After opening the e-submitted application files, all the files shall be printed and recorded at the time of application opening.



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